

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRANSFIELD ER CAPE LIMITED,

Plaintiff,

- against -

FUCHUEN DIHAI SHIPPING CO. LTD. and ZHEJIANG :
FUCHUEN CO. LTD., :

Defendants.

**DECLARATION OF CHARLES E. MURPHY IN OPPOSITION TO
DEFENDANTS' MOTIONS TO VACATE MARITIME ATTACHMENT**

Charles E. Murphy declares under penalty of perjury as follows:

1. I am a partner in the firm of Lennon, Murphy & Lennon, LLC, attorneys for the Plaintiff herein, Transfield ER Cape Limited (“Transfield”). I make this declaration based upon my personal knowledge and upon documents that I believe to be accurate.

2. I attach hereto as Exhibit 1 a true and accurate copy of Transfield's Arbitration Submission dated July 16, 2007 together with its exhibit pages 1-16.

3. I attach hereto as Exhibit 2 a true and accurate copy of Judge Castel's Order in *Route Holding, Inc. v. Int'l Oil Overseas, Inc.*, No. 06-3428 (S.D.N.Y. Sept. 29, 2006).

4. I attach hereto as Exhibit 3 a true and accurate copy of the transcript of the post-attachment hearing conducted by Judge Hellerstein in *Secil Maritima U.E.E. v. Malev Shipping Co. Ltd.*, No. 06-6345 (S.D.N.Y. Oct. 10, 2006).

5. I attach hereto as Exhibit 4 a true and accurate copy of Judge Stein's Order in *Aifos Trade SA v. Midgulf Int'l Ltd.*, 06-203 (S.D.N.Y. May 1, 2006).

6. I attach hereto as Exhibit 5 a true and accurate copy Judge Kaplan's Order in *Allied Marine Services Ltd. v. LMJ International Ltd.*, 06-3641 (S.D.N.Y. December 8, 2006) together with the transcript of the post-attachment hearing.

7. I attach hereto as Exhibit 6 a true and accurate copy of Judge Preska's Order in *Sarku Engineering Services Sdn Bhd v. Pt Jawa Tirtamarine*, No. 06-13359 (S.D.N.Y. Jan. 22, 2007).


I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 16, 2007 at Southport, Connecticut.


Charles E. Murphy

AFFIRMATION OF SERVICE

I hereby certify that on July 16, 2007, a copy of the foregoing Declaration of Charles E. Murphy was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing. Parties may access this filing through the Court's CM/ECF system.

By: 
Charles E. Murphy (CM 2125)